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THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Art Unit: 1639
KOGANTY, et al.	)	Examiner: WESSENDORF
Serial No.: 09/143,379	)	Washington, D.C.
Filed: August 28, 1998	)	October 19, 2005
For: RANDOMLY GENERATED	)	Docket No.: KOGANTY=8
GLYCOPEPTIDE COMBINATORIAL)	)	
LIBRARIES	)	Confirmation No: 3442

**ELECTION WITH TRAVERSE**

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S i r :

1. In response to the revised species requirement mailed September 19, 2005, applicants hereby makes the following elections, all with traverse:

- A) Carbohydrate Component  
elect species 1 (GalNAc)
- B) Peptide Scaffold  
elect species 2 ("specific sequence of the core peptide mucin").

The statement under B) that "Applicants are to further elect if the mucin is a tandem repeat sequence" is unclear. The mucin isn't, but a peptide sequence within the mucin may be. We assume that is what the examiner meant.

However, then there are other ambiguities. Is the Examiner asking whether the mucin-derived peptide sequence is repeated within the scaffold, or within the mucin's core protein? And if the latter, does "is" mean that it is the entire repeat, or can it be a part of the mucin's tandem repeat?

In our response to species requirement C below, we

elected the 16 a.a. peptide sequence of P11, L18. This peptide is a portion of the 20 a.a. tandem repeat of the mucin MUC1. The preferred peptide scaffold is just this 16 a.a., i.e., SEQ ID NO:1 is not repeated within it. Thus, we are electing a sequence which is part of a mucin tandem repeat, but which is not itself repeated within the scaffold. We hope this explanation satisfies the examiner's tandem repeat concerns.

C) Carbohydrate [sic, peptide] derivation  
elect species 2 (from core mucin)

The Examiner added that if core mucin was elected, "a specific sequence is require [sic], as to whether the core is the whole polypeptide or fragments of the peptide, i.e., specific sequence fragment".

As we pointed out to the Examiner in a phone call, if "carbohydrate" were intended, it does not make sense to require us to elect a specific "polypeptide" or "peptide" fragment. The Examiner instructed us to interpret C) as calling for the source of the peptide scaffold of B), not the carbohydrate of A).

We elect that the peptide scaffold is a fragment of the core protein of the mucin, not the whole polypeptide. If greater specificity is needed, we elect the 16 a.a. peptide sequence of page 11, line 18.

D) Number of different peptides, as recited in claims  
55-16.

We elect the embodiment of claim 55, i.e., "at least 32". If further specificity is required, we elect "32".

E) Number of different glycosylation sites, as recited  
in claims 70-71.

We elect the embodiment of claim 70, i.e., "at least two". If further specificity is required, we elect "five".

2. The species restriction is traversed on the ground that generic claims are allowable, see MPEP 809.02.

3. Claims 30-33, 42-50 and 55-82 are pending. We now analyze how the claims read on each of the above elections:

A-1: all read on the elected species  
B-2: all except 47 (cyclic) and 48 (D-amino acid) read on the elected species  
C-2: same as for B-2  
D-claim 55: all except 56-59 read on the elected species. If the election is of 32 exactly, that also excludes 61.  
E-claim 70: all claims read on the elected species.

Respectfully submitted,

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